

~~CONFIDENTIAL - EYES ONLY~~

REGULATION

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PERSONNEL

SEPARATIONS

Part I - Voluntary Separations
Separation to Enter Military Service
Mandatory Separations
Death

1. POLICY

- a. An employee who wishes to resign or, when eligible, to retire is expected to give reasonable notice of his intention to do so.
- b. An employee entering active military service under a program providing restoration rights to his civilian employment will be separated by administrative action in such a way as to preserve his legal entitlements.
- c. The Agency will act promptly to effect necessary actions when an employee dies or when his separation is mandatory.

2. RESPONSIBILITIES

The Director of Personnel is responsible for the proper processing of the different types of separations.

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SEPARATIONS

PART II - Involuntary Separations

Rescissions: (1) [] 1 dated 10 February 1955
(2) [] dated 23 April 1955
(3) [] dated 1 November 1954

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1. STATUTORY POWERS OF THE DIRECTOR OF CENTRAL INTELLIGENCE

The Director of Central Intelligence is empowered to terminate the employment of any Agency employee when he determines that such action is necessary or advisable in the interests of the United States. Termination action is accomplished under the authority of section 102(c) of the National Security Act of 1947 quoted below:

"Notwithstanding the provisions of Section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission."

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2. POLICY

In order to meet the exacting responsibilities placed upon the Agency and pursuant to his statutory authority, the Director of Central Intelligence may separate any employee immediately when he deems it necessary or advisable in the interest of the United States.

ALTERNATIVE I To the extent that is consistent with immediacy, separations will be effected on the basis of a thorough and impartial review of the complete record in each case.

ALTERNATIVE II To the extent that is consistent with interests of the United States, separations will be effected on the basis of a thorough and impartial review of all pertinent information, *including that both* favorable and unfavorable to the individual concerned.

3. SCOPE AND APPLICABILITY

The provisions of this regulation apply to those persons who are nominated for separation for such reasons as: failure to meet the work and efficiency standards of the Agency, willful abandonment of position, insubordination, delinquency, a criminal act, misconduct, failure to meet Agency security standards, *inability* ~~failure~~ to meet Agency medical standards and failure during the initial twelve month period to demonstrate the qualifications required in his assignment.

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4. RESPONSIBILITIES

a. Operating Officials and Heads of Career Services

Operating officials and heads of Career Services are responsible for continuously evaluating the performance and conduct of employees under their respective jurisdictions. They should advise employees of their shortcomings and warn them of the consequences of continued substandard performance or behavior. They are also responsible for recommending to the Director of Personnel separation of those individuals who, in their view, do not meet Agency standards on such bases as work performance, security or conduct.

b. Director of Personnel

The Director of Personnel is responsible for recommending appropriate action to the Director of Central Intelligence.

c. Director of Security

The Director of Security is responsible for advising the Director of Central Intelligence and the Director of Personnel of security factors bearing on proposed separations.

d. Chief, Medical Staff

The Chief, Medical Staff, is responsible for advising the Director of Central Intelligence and the Director of Personnel as to the medical

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qualifications of employees and for making an appropriate recommendation when an individual fails to meet Agency medical standards.

5. EMPLOYMENT REVIEW BOARD

The Director may appoint an Employment Review Board to advise him concerning any particular case.

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Part I - Voluntary Separations
Separations to Enter Military Service
Mandatory Separations
Death

1. GENERAL

Separations covered by this section of the handbook include actions taken in response to requests by employees (voluntary separations), separations to enter military service, actions which the Agency is required to take (mandatory separations), and death.

2. VOLUNTARY SEPARATIONS

a. Resignation

- (1) When an individual intends to resign from the Agency he should give as much notice as possible.
- (2) The reasons offered by an employee for his proposed resignation will be carefully considered, and he will be interviewed by his supervisor and a representative of the Office of Personnel as soon as his intention to leave has been made known.
- (3) The effective date of a resignation will be the close of business on the last day the employee is present for duty except in the following circumstances:
 - (a) When an employee resigns during, or at the expiration of an approved leave period, the date of resignation will be fixed

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as the closing date of the pay period during which his resignation is received by the Office of Personnel and any intervening period will be covered by leave with or without pay.

- (b) When an employee resigns in circumstances where it is proper to grant any accrued annual or sick leave, the date of resignation may be extended to permit granting unused leave.

b. Resignation to Accept Other Federal Employment

- (1) This action permits an employee to be appointed by another Federal agency without a break in service of one work day.
- (2) The effective date of this type of resignation will be fixed by the Office of Personnel and the other agency concerned.

c. Optional Retirement

Employees may exercise the option of retiring when they meet certain age and length of service requirements as provided by the Civil Service Retirement Act. Employees may consult with the Office of Personnel concerning their eligibility for optional retirement.

d. Disability Retirement

- (1) Employees who are eligible for disability retirement will be separated by this action upon approval of their applications by the U. S. Civil Service Commission. Application for this type of retirement may be made by the employee, by his guardian or other interested party if he is mentally incompetent, or by the Agency.

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The Office of Personnel will furnish advice and assistance regarding eligibility requirements and steps necessary to process the application.

- (2) An employee who is physically or mentally disqualified for further employment by this Agency and who is eligible for disability retirement will be continued on the rolls on sick leave, or leave without pay if necessary, pending approval of his application for disability retirement.

3. SEPARATIONS TO ENTER MILITARY SERVICE

When an employee enters military service under a program which provides restoration rights to his civilian employment, he will be separated by administrative action in such a way as to preserve his legal entitlements. The Head of his Career Service will supply the required information about the position he is leaving. The Office of Personnel will process the administrative action and advise the employee of his leave and retirement rights and his restoration rights under appropriate Federal statutes and the U. S. Civil Service Commission regulations.

4. MANDATORY SEPARATIONS

a. Mandatory Retirement (Age)

An employee who has reached age 70 and has completed 15 or more years of creditable service must be retired. This retirement becomes effective

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at the end of the calendar month during which the employee meets both age and length of service requirements.

b. Determination of Legal Incompetence

An employee who is declared mentally incompetent by court action and who is not eligible for disability retirement will be separated by the action "Separation (Legal Incompetence)". The effective date of the separation will be the date the Agency receives notification of court action as extended by any unused sick leave to the employee's credit. The Office of Personnel will advise the legal guardian that he may submit a claim for unpaid salary since payments cannot be made to the employee after the date of the court action declaring him incompetent.

5. DEATH

Upon receipt of appropriate notification of death of an employee, the Office of Personnel will report the death to the Director of Central Intelligence, will render assistance to the survivors, and will arrange for the prompt settlement of all entitlements pertaining to Agency employment.

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Part II - Involuntary Separations

1. GENERAL

Pursuant to his statutory authority, the Director may separate any employee of the Central Intelligence Agency immediately when he deems it necessary or advisable in the interest of the United States. When the necessity to separate an employee is not immediate a thoroughgoing and objective review shall be made of pertinent information including that both favorable and unfavorable to the individual concerned.

2. SEPARATION PROCEDURE

Deputy Directors and Heads of Career Services shall identify personnel under their jurisdiction who should be considered for separation. Whenever an individual has been so identified the Deputy Director, Head of Career Service or a senior representative will review the case with the Director of Personnel and, as appropriate, with the Director of Security for the purpose of arriving at a clear understanding of the nature of the action to be undertaken.

Particular attention will be paid to the following:

a. Work and Efficiency Standards

[REDACTED]
A review involving failure of an individual to meet work and efficiency standards will be based on the individual's ability to meet the standards of his Career Service and his ability to perform adequately the duties of the position to which assigned.

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b. Standards of Discipline

A review involving failure to meet standards of discipline such as abandonment of position, insubordination, delinquency, a criminal act or other act of misconduct will have as its purpose the determination of the corrective or disciplinary action to be undertaken, that is, warning, probation, suspension or recommendation to the Director of Central Intelligence that the individual be separated. (Instances of gross misconduct or criminal acts will be reported immediately to the Deputy Director concerned, the Inspector General, Director of Security and Director of Personnel.)

c. Security and Medical Standards

The Director of Personnel will call upon the Director of Security and Chief, Medical Staff to advise him concerning the security and medical elements pertaining to any case under review. It will furthermore be the responsibility of the Director of Security and Chief, Medical Staff to investigate and evaluate evidence and to recommend action in those cases in which the individual fails to meet Agency security and medical standards.

The Deputy Director or Head of the Career Service will complete his investigation and review of the case in accordance with the steps prescribed by the Director of Personnel (except in those cases in which action is transferred to the Director of Security or the Chief, Medical Staff). If he concludes

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that the individual should be separated from the Career Service, he will ensure that the individual is so informed and that the reasons for this action are carefully explained. He will at this point forward the case with all required documentation to the Director of Personnel. The Director of Personnel will advise the employee that he is being considered for separation from the Agency and will extend to him an opportunity to submit a written statement or make oral presentation of his case. After the Director of Personnel has reviewed all pertinent materials including those provided by the employee concerned, he shall advise the Director of Central Intelligence if he recommends separation.

3. NOTIFICATION AND OPPORTUNITY TO REQUEST RECONSIDERATION

In those cases in which the Director of Central Intelligence determines that immediate separation action must be taken in the interest of the United States, the individual, upon notification of this decision, may address a request for reconsideration to the Director of Central Intelligence. In all other cases the Director of Personnel will notify the individual concerned of his intent to recommend to the Director of Central Intelligence that separation action be taken and will advise him of his right to appeal the recommendation to the Director of Central Intelligence.

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MANAGEMENT OF PERSONNEL IN GRADES GS-1 THROUGH GS-15

1. GENERAL

This regulation deals with the evaluation, promotion, counseling and assignment of personnel in grades GS-1 through GS-15.

2. EVALUATION

a. By the Supervisor (Grades GS-1 through GS-15)

Supervisors are required to evaluate the performance of each employee annually and on such other occasions as are specified on the Directions for Completing Form 45-(8-58), Fitness Report. The report of evaluation will normally be reviewed and signed by the employee concerned and will then be reviewed and signed by the official responsible at the next higher echelon.

b. By the Career Service (Grades GS-9 through GS-15)

Once each year, during the quarter following the evaluation by the supervisor, the head of each Career Service will arrange for a systematic, comparative evaluation of all personnel in grades GS-9 through GS-15 assigned to the Service. (See schedule below)

EVALUATION BY SUPERVISOR		CAREER SERVICE EVALUATION
Grades	For Period Ending	Quarter Beginning
GS-1 through GS-5	31 March	
GS-6 through GS-8	30 June	
GS-9 through GS-11	30 September	January
GS-12 and GS-13	31 December	April
GS-14 and above	31 March	July

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3. PROMOTION

The number of persons to be promoted annually to each grade within a Career Service shall be determined in advance by the head of the Career Service in accordance with

a. Promotion to Grades GS-2 through GS-8

The head of the Career Service ^{may} will allocate to Operating Officials their fair share of spaces to be used for promotion to grades GS-2 through GS-8, and he will establish such mechanisms as may be needed to fairly apportion limited spaces among deserving candidates in different offices.

b. Promotion to Grades GS-9 through GS-15

Eligibility for promotion to grades GS-9 through GS-15 will depend upon Career Service evaluation. Whenever an opportunity arises to promote one or several individuals into a higher grade in a Career Service, the records of all eligible candidates will be reviewed and selection made with due consideration given to relative ranking. If assignment to a particular position and subsequent promotion is under consideration, the head of a Career Service may restrict the competition to those persons having the requisite skills.

c. Personal Rank Promotion

Those persons nominated for promotion who occupy positions graded at their present level and who cannot properly be assigned to a position

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at the next higher grade until the completion of their current tour of duty may, with the concurrence of the Director of Personnel, be promoted on a personal rank basis.

d. Review by the Director of Personnel

The Director of Personnel will review and evaluate the records of all personnel selected for promotion from grades GS-11 to GS-12, and from GS-13 to GS-14. In so doing, he will consult the personnel, training, assessment, medical and security records pertaining to each individual. In those cases in which promotion would not appear to be justified in the light of Agency standards for professional personnel, he will consult with the head of the Career Service concerned for the purpose of achieving mutual agreement regarding action to be taken.

4. COUNSELING

The head of each Career Service will ensure that the requirement and the opportunities for development, improvement, and independent study are carefully reviewed with each career employee at the time of acceptance into the Career Staff and at least once every three years thereafter. On the occasion of such review, a written record will be made of the plans for the individual's future work and training. The drafting of such a plan does not constitute an agreement as to specific future assignments. Rather, it establishes realistic and attainable goals for the individual and places career development on the

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basis of common understanding between the Career Service and the individual. It will be a particular responsibility of heads of Career Services to make use of the information thus gained to foster the career development of members of their Services.

5. ASSIGNMENT

a. Director of Personnel

The initial assignment of an employee to a Career Service or his reassignment from one Career Service to another will be made by the Director of Personnel. *after consultation with the heads of the Career Services concerned.* He may refer to the Special Placement Committee for consideration those cases involving the directed assignment of an individual from one Career Service to another.

b. Operating Officials

Operating Officials will forecast the personnel requirements of units under their control well in advance of the date the positions are to be filled. They will notify the head of the appropriate Career Service of their requirements and may propose candidates to fill them. Operating Officials are responsible for assigning to positions personnel supplied to them by the Career Service.

c. Heads of Career Services

Heads of Career Services will *select* assign personnel to operating units with primary emphasis upon the aptitudes, experience, and skills required, but with due regard to the maintenance of a progressive and balanced Career Service.